IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

FRIDAY, THE 1ST DECEMBER 2006 / 10TH AGRAHAYANA 1928

WP(C).No. 31868 of 2006(R)

PETITIONER:

P.SREEDHARAN PILLAI, AGED 51 YEARS,
S/O. PURUSHOTHAMAN PILLAI,
CHARUVILA PUTHEN VEEDU, VELLAMPARA, NILAMEL.

BY ADV. SRI.C.T.JESTIN

RESPONDENTS:

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1. DISTRICT COLLECTOR,
KOLLAM.

2. EMPLOYMENT OFFICER,
TOWN EMPLOYMENT EXCHANGE, KADAKKAL,
KOLLAM DISTRICT.

BY GOVT.PLEADER SRI.BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 01/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K.DENESAN, J

W.P.(C)NO. 31868 of 2006

Dated this the 1st day of December, 2006

JUDGMENT

The petitioner is aged 51 years. He has registered his name in the Employment Exchange in Kollam District. His educational qualification is below 5th standard. Though he belongs to a forward caste community among Hindus, he has married a scheduled caste woman. It is contended that he is eligible to get preference in the matter of sponsoring by the Employment Exchange when vacancies are reported. He would allege that the respondents have overlooked his preferential right, and therefore, he did not get the opportunity to earn a livelihood. He had filed a complaint before the second respondent. In reply to that complaint, the second respondent informed the petitioner that he has been given the benefit of inter caste marriage and due preference also has been given to him in the matter of assigning him seniority among persons who have registered their names in the Employment Exchange. It is also stated that he was given employment on three occasions and his name will be considered against his turn according to the priority to which he is legally entitled to.

2. The petitioner feels dissatisfied, according to him, the

respondents have overlooked his claim.

3. No material is produced to show that the facts disclosed by respondents in Ext.P3 are not correct. I find no error apparent on the face of Ext.P3. The second respondent has verified the records and has passed on due information to the petitioner. Merely for the reason that the petitioner has not been given employment or he has not been sponsored for appointment, it cannot be assumed or inferred that the second respondent has acted arbitrarily. The second respondent need sponsor the name of the petitioner, if only the materials on record and the relevant rules would justify the same. The petitioner has failed to make out a case that he has got any legal grievance or for interference under Article 226 of the Constitution of India. This writ petition is totally misconceived. I do so.

K.K.DENESAN, JUDGE

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